

## UNITED STATES DISTRICT COURT

Western District of Pennsylvania 

UNITED STATES OF AMERICA

v.

ROBERT BOWERS

## JUDGMENT IN A CRIMINAL CASE

Case Number: 2:18-cr-00292-RJC-1

USM Number: #39188-068

Judy Clarke, Esq., Michael Burt, Esq., Michael Novara, AFPD,

Elisa Long, AFPD, Ashwin Cattamanchi, AFPD

Defendant's Attorneys

## THE DEFENDANT:

☐ pleaded guilty to count(s) \_\_\_\_\_☐ pleaded nolo contendere to count(s) \_\_\_\_\_  
which was accepted by the court.☒ was found guilty on count(s) 1s-63s (Dates of Verdicts: June 16, 2023; July 13, 2023; and August 2, 2023)  
after a plea of not guilty.

The defendant is adjudicated guilty of these offenses:

<u>Title &amp; Section</u>	<u>Nature of Offense</u>	<u>Offense Ended</u>	<u>Count</u>
18USC247(a)(2) & (d)(1)	Obstruction of Free Exercise of Religious Beliefs Resulting in Death	10/27/2018	1s-11s
18USC249(a)(1)(B)(i)	Hate Crime Act Resulting in Death	10/27/2018	12s-22s

The defendant is sentenced as provided in pages 2 through 8 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.☐ The defendant has been found not guilty on count(s) \_\_\_\_\_☒ Count(s) 1-44 ☐ is ☒ are dismissed on the motion of the United States.

It is ordered that the defendant must notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant must notify the court and United States attorney of material changes in economic circumstances.

8/3/2023

Date of Imposition of Judgment

Signature of Judge

Hon. Robert J. Colville, U.S. District Judge

Name and Title of Judge

8/3/2023

Date

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### ADDITIONAL COUNTS OF CONVICTION

<u>Title &amp; Section</u>	<u>Nature of Offense</u>	<u>Offense Ended</u>	<u>Count</u>
18USC924(c)(1)(A)(i), 924(c)(1)(A)(ii), 924(c)(1)(A)(iii) and 924(j)(1)	Use and Discharge of a Firearm to Commit Murder During and in Relation to a Crime fo Violence and Possession of a Firearm in Furtherance of a Crime of Violence	10/27/2018	23s-33s
18USC247(a)(2), 247(d)(1) & 247(d)(3)	Obstruction of Free Exercise of Religious Beliefs Involving an Attempt to Kill and Use a Dangerous Weapon, and Resulting in Bodily Injury	10/27/2018	34s-35s
18USC249(a)(1)(B)(ii)	Hate Crime Act Involving an Attempt to Kill	10/27/2018	36s-37s
18USC924(c)(1)(A)(i), 924(c)(1)(A)(ii), and 924(c)(1)(A)(iii)	Use and Discharge of a Firearm During and In Relation to a Crime of Violence and Possession of a Firearm in Furtherance of a Crime of Violence	10/27/2018	38s-39s, 52s-63s
18USC247(a)(2), 247(d)(1) & 247(d)(3)	Obstruction of Free Exercise of Religious Beliefs Involving an Attempt to Kill and Use of a Dangerous Weapon, and Resulting in Bodily Injury to a Public Safety Officer	10/27/2018	40s-47s
18USC247(a)(2) & 247(d)(3)	Obstruction of Free Exercise of Religious Beliefs Involving Use of a Dangerous Weapon and Resulting in Bodily Injury to a Public Safety Officer	10/27/2018	48s-51s

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### IMPRISONMENT

The defendant is hereby committed to the custody of the Federal Bureau of Prisons to be imprisoned for a total term of:  
Upon the jury's verdict, the Defendant is sentenced to death on Counts 1-11 and 23-33 (continued on page 4).

☐ The court makes the following recommendations to the Bureau of Prisons:

☐ The defendant is remanded to the custody of the United States Marshal.

☐ The defendant shall surrender to the United States Marshal for this district:

☐ at \_\_\_\_\_ ☐ a.m. ☐ p.m. on \_\_\_\_\_ .

☐ as notified by the United States Marshal.

☐ The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:

☐ before 2 p.m. on \_\_\_\_\_ .

☐ as notified by the United States Marshal.

☐ as notified by the Probation or Pretrial Services Office.

### RETURN

I have executed this judgment as follows:

Defendant delivered on \_\_\_\_\_ to \_\_\_\_\_  
at \_\_\_\_\_ , with a certified copy of this judgment.

UNITED STATES MARSHAL

By \_\_\_\_\_  
DEPUTY UNITED STATES MARSHAL

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### ADDITIONAL IMPRISONMENT TERMS

At Counts 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32 and 33 of the superseding indictment, the penalty of death by execution is imposed.

With respect to the non-capital counts of the superseding indictment, the defendant is sentenced as follows:

As to Counts 12 through 22, life imprisonment without the possibility of release. These sentences will run consecutive to one another and to all prior terms of imprisonment.

As to Counts 34 and 36, life imprisonment without the possibility of release. These sentences shall run concurrent to one another, and consecutive to all prior terms of imprisonment.

As to Counts 35 and 37, life imprisonment without the possibility of release. These sentences shall run concurrent to one another, and consecutive to all prior terms of imprisonment.

As to Counts 38 and 39, life imprisonment without the possibility of release. These sentences shall run consecutive to one another and to all prior terms of imprisonment.

As to Counts 40 through 47, life imprisonment without the possibility of release. These sentences shall run concurrent to one another, and consecutive to all prior terms of imprisonment.

As to Counts 48 through 51, defendant is sentenced to the statutory maximum of twenty (20) years imprisonment. These sentences shall run concurrent to one another and consecutive to all prior terms of imprisonment.

As to Counts 52 through 63, life imprisonment without the possibility of release. These sentences will run consecutive to one another and all prior terms of imprisonment.

No term of supervised release is imposed.

The Defendant is committed to the custody of the Attorney General until the exhaustion of the procedures for appeal of the judgment of conviction and for review of the sentences. See 18 U.S.C. § 3596(a). When the sentence of death is to be implemented, the Attorney General shall release the Defendant to the custody of a United States Marshal, who shall supervise the implementation of the sentence in the manner prescribed by the law of the State of in which the sentence is imposed. See 18 U.S.C. § 3596(a).

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## CRIMINAL MONETARY PENALTIES

The defendant must pay the total criminal monetary penalties under the schedule of payments on Sheet 6.

<b>TOTALS</b>	<b>\$ 6,300.00</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>
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- ☒ The determination of restitution is deferred until 11/1/2023. An *Amended Judgment in a Criminal Case (AO 245C)* will be entered after such determination.
- ☐ The defendant must make restitution (including community restitution) to the following payees in the amount listed below.

If the defendant makes a partial payment, each payee shall receive an approximately proportioned payment, unless specified otherwise in the priority order or percentage payment column below. However, pursuant to 18 U.S.C. § 3664(i), all nonfederal victims must be paid before the United States is paid.

<u>Name of Payee</u>	<u>Total Loss***</u>	<u>Restitution Ordered</u>	<u>Priority or Percentage</u>
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<b>TOTALS</b>	\$	0.00	\$	0.00
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- ☐ Restitution amount ordered pursuant to plea agreement \$ \_\_\_\_\_
- ☐ The defendant must pay interest on restitution and a fine of more than \$2,500, unless the restitution or fine is paid in full before the fifteenth day after the date of the judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options on Sheet 6 may be subject to penalties for delinquency and default, pursuant to 18 U.S.C. § 3612(g).
- ☐ The court determined that the defendant does not have the ability to pay interest and it is ordered that:
- ☐ the interest requirement is waived for the ☐ fine ☐ restitution.
- ☐ the interest requirement for the ☐ fine ☐ restitution is modified as follows:

\* Amy, Vicky, and Andy Child Pornography Victim Assistance Act of 2018, Pub. L. No. 115-299.

\*\* Justice for Victims of Trafficking Act of 2015, Pub. L. No. 114-22.

\*\*\* Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18 for offenses committed on or after September 13, 1994, but before April 23, 1996.

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### **ADDITIONAL TERMS FOR CRIMINAL MONETARY PENALTIES**

The defendant shall make installment payments towards any financial obligation through the Bureau of Prisons' (BOP) Inmate Financial Responsibility Plan (IFRP). Pursuant to the IFRP, the BOP may establish a payment plan by evaluating the defendant's six-month deposit history and subtracting an amount determined by the BOP to be used to maintain contact with family and friends, send mail, and buy necessary commissary items. That subtracted amount to be used to maintain contact with family and friends, send mail, and buy necessary commissary items shall not be determined to be less than \$75.00 per month. In other words, installment payments should permit at least \$75.00 to be used to maintain contact with family and friends, send mail, and buy necessary commissary items each month. The remaining balance may be used to determine a repayment schedule. BOP staff shall help the defendant develop a financial plan and shall monitor his progress in meeting his financial obligation.

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### SCHEDULE OF PAYMENTS

Having assessed the defendant's ability to pay, payment of the total criminal monetary penalties is due as follows:

- A** ☒ Lump sum payment of \$ 6,300.00 due immediately, balance due
- ☐ not later than \_\_\_\_\_, or
- ☐ in accordance with ☐ C, ☐ D, ☐ E, or ☐ F below; or
- B** ☐ Payment to begin immediately (may be combined with ☐ C, ☐ D, or ☐ F below); or
- C** ☐ Payment in equal \_\_\_\_\_ (e.g., weekly, monthly, quarterly) installments of \$ \_\_\_\_\_ over a period of \_\_\_\_\_ (e.g., months or years), to commence \_\_\_\_\_ (e.g., 30 or 60 days) after the date of this judgment; or
- D** ☐ Payment in equal \_\_\_\_\_ (e.g., weekly, monthly, quarterly) installments of \$ \_\_\_\_\_ over a period of \_\_\_\_\_ (e.g., months or years), to commence \_\_\_\_\_ (e.g., 30 or 60 days) after release from imprisonment to a term of supervision; or
- E** ☐ Payment during the term of supervised release will commence within \_\_\_\_\_ (e.g., 30 or 60 days) after release from imprisonment. The court will set the payment plan based on an assessment of the defendant's ability to pay at that time; or
- F** ☒ Special instructions regarding the payment of criminal monetary penalties:  
The defendant shall make installment payments toward any financial obligation through the Bureau of Prisons' (BOP) Inmate Financial Responsibility Program (IFRP), as stated more fully on page 6 of this judgment.

Unless the court has expressly ordered otherwise, if this judgment imposes imprisonment, payment of criminal monetary penalties is due during the period of imprisonment. All criminal monetary penalties, except those payments made through the Federal Bureau of Prisons' Inmate Financial Responsibility Program, are made to the clerk of the court.

The defendant shall receive credit for all payments previously made toward any criminal monetary penalties imposed.

☐ Joint and Several

Case Number  
Defendant and Co-Defendant Names  
(including defendant number)

Total Amount

Joint and Several  
Amount

Corresponding Payee,  
if appropriate

- ☐ The defendant shall pay the cost of prosecution.
- ☐ The defendant shall pay the following court cost(s):
- ☒ The defendant shall forfeit the defendant's interest in the following property to the United States:

See page 7 of this judgment.

Payments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) AVAA assessment, (5) fine principal, (6) fine interest, (7) community restitution, (8) JVT A assessment, (9) penalties, and (10) costs, including cost of prosecution and court costs.

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### **ADDITIONAL FORFEITED PROPERTY**

The defendant shall forfeit to the United States the following properties which are also identified in the forfeiture allegations in this case:

- 1) A Glock .357 handgun bearing serial number BCUM029 and any ammunition contained therein;
- 2) A Glock .357 handgun bearing serial number YEY449 and any ammunition contained therein;
- 3) A Glock .357 handgun bearing serial number RHY244 and any ammunition contained therein;
- 4) A Colt AR-15 rifle model SPI bearing serial number SP99907 and any ammunition contained therein;
- 5) A shotgun recovered from the scene of the incident and any recovered ammunition contained therein; and
- 6) Any other property, to include ammunition, which was involved and used in the knowing commission of the offenses specified above.